

COMMENTS

RESPONSES



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BREANT
DIRECTOR

June 12, 2007

Marilyn Mirrasoul
City of San Diego
1222 First Avenue
San Diego, CA 92101-4135

Subject: General Plan Update
SCH#: 2006091032

Dear Marilyn Mirrasoul:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 11, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

C-1

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

C-1 Comment acknowledged. This letter acknowledges compliance with the State Clearinghouse review requirements for draft environmental documents.

COMMENTS

RESPONSES

Document Details Report State Clearinghouse Data Base

SCH# 2006091032
Project Title General Plan Update
Lead Agency San Diego, City of

Type EIR Draft EIR

Description The City of San Diego General Plan Update is proposed to replace the existing 1979 Progress Guide and General Plan (1979 General Plan). The General Plan sets out a long-range, comprehensive framework for how the city will grow and develop, provide public services, and maintain the qualities that define San Diego over the next 20-30 years. The proposed update has been guided by the City of Villages growth strategy and citywide policy direction contained within the General Plan Strategic Framework Element (adopted by the City Council on October 22, 2002). The Draft General Plan is comprised of an introductory Strategic Framework chapter and nine elements: Land Use and Community Planning; Mobility; Urban Design; Public Facilities, Services and Safety; Economic Prosperity; Recreation; Conservation; Historic Preservation; and Noise. The update to the Housing Element was adopted by the City Council under separate cover on December 5, 2006.

Lead Agency Contact

Name	Marilyn Mirasoul		
Agency	City of San Diego		
Phone	(619) 446-5380	Fax	
email			
Address	1222 First Avenue		
City	San Diego	State CA	Zip 92101-4135

Project Location

County	San Diego
City	San Diego
Region	
Cross Streets	
Parcel No.	
Township	
	Range
	Section
	Base

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Coastal Zone; Cumulative Effects; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Public Services; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Other Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Office of Emergency Services; California Highway Patrol; Caltrans, District 11; Department of Housing and Community Development; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Board, Region 9; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received 04/26/2007 **Start of Review** 04/27/2007 **End of Review** 06/11/2007

Note: Blanks in data fields result from insufficient information provided by lead agency.



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Memorandum

Date: May 16, 2007
To: All Reviewing Agencies
From: Scott Morgan, Senior Planner
Re: SCH # 2006091032
General Plan Update

The State Clearinghouse is forwarding the attached material from the Lead Agency regarding some additional information for the above-mentioned document. All other project information remains the same.

cc: Marilyn Mirrasoul
City of San Diego
1222 First Avenue
San Diego, CA 92101-4135

COMMENTS

RESPONSES

Document Transmittal Form
 Mailing: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 916/445-5613 SCH # 2006091032

1. Project Title: General Plan Update
 2. Lead Agency: City of San Diego
 3a. Street Address: 1224 Elm Ave.
 3c. County: San Diego
 3d. City: San Diego
 3e. Phone: 619-445-5380

4. County: San Diego
 4a. City/Community: San Diego
 4b. Assessor's Parcel No.
 4c. Section
 4d. Township
 4e. Range
 5. Cross Streets
 6. Within 2 Miles: State Hwy #
 6a. Airports
 6b. Waterways

7. Document Type
 CEQA: 01. ☐ NOI 02. ☐ Early Cons 03. ☐ Neg Dec 04. ☒ Draft EIR
 05. ☐ Supplemental EIR
 06. ☐ NOI 07. ☐ Neg Dec
 08. ☐ NOI
 09. ☐ NOI
 10. ☐ NOI
 11. ☐ NOI
 12. ☐ NOI
 13. ☐ Joint Document
 14. ☐ Final Document
 15. ☒ Other: Scoping Letter
 16. ☐ EIR/EA

8. Local Action Type
 01. ☒ General Plan Update
 02. ☐ New Element
 03. ☐ General Plan Amendment
 04. ☐ Master Plan
 05. ☐ Amendment
 06. ☐ Specific Plan
 07. ☐ Community Plan
 08. ☐ Redevelopment
 09. ☐ Rezone
 10. ☐ Land Use (Subdivision)
 11. ☐ Use Permit (Planned Industrial)
 12. ☐ Water Mgmt Plan
 13. ☐ Other: Ag Preserve
 14. ☐ Other

9. Development Type
 01. ☐ Residential: Single-Family, Attached, Employee
 02. ☐ Office
 03. ☐ Shopping/Commercial
 04. ☐ Industrial/RAID
 05. ☐ Water Facilities
 06. ☐ Transportation
 07. ☐ Mining/Metals
 08. ☐ Power
 09. ☐ Waste Treatment
 10. ☐ CCS-Related
 11. ☐ Other

10. Total Acres: N/A
 11. Total Jobs Created

12. Project Issues Discussed in Document
 01. ☒ Aesthetic/Visual
 02. ☒ Agricultural Land
 03. ☒ Air Quality
 04. ☒ Archaeology/Historic
 05. ☒ Coastal Zone
 06. ☒ Economic
 07. ☒ Fish Habitat
 08. ☒ Flooding/Drainage
 09. ☒ Geology/Seismic
 10. ☒ Jobs/Housing Balance
 11. ☒ Minerals
 12. ☒ Noise
 13. ☒ Public Services
 14. ☒ Schools
 15. ☒ Septic Systems
 16. ☒ Sewer Capacity
 17. ☒ Social
 18. ☒ Soil Erosion
 19. ☒ Solid Waste
 20. ☒ Toxic Hazardous
 21. ☒ Traffic/Circulation
 22. ☒ Vegetation
 23. ☒ Water Quality
 24. ☒ Water Supply
 25. ☒ Wetlands/Riparian
 26. ☒ Wildlife
 27. ☒ X Growth Inducing
 28. ☒ X Incompatible Land Use
 29. ☒ X Cumulative Effects
 30. ☒ X Paleontological Resources
 31. ☒ Other

13. Funding (approx.) Federal \$ State \$ Total \$

14. Present Land Use and Zoning: N/A

15. Project Description: The City of San Diego Draft General Plan is proposed to replace the existing 1979 Progress Guide and General Plan (1979 General Plan). The General Plan sets out a long-range, comprehensive framework for how the city will grow and develop, provide public services and maintain the qualities that define San Diego over the next 20-30 years. The proposed update has been guided by the City of Villages growth strategy and citywide policy direction contained within the General Plan Strategic Framework Element (adopted by the City Council on October 22, 2002). The Draft General Plan is comprised of an introductory Strategic Framework chapter and nine elements: Land Use and Community Planning; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services and Safety; Recreation; Conservation; Noise; and Historic Preservation. The update to the Housing Element was adopted by the City Council under separate cover on December 3, 2006.

16. Signature of Lead Agency Representative: *[Signature]* Date: April 26, 2007

State Clearinghouse Contact: 916/445-5613
 State Review Begins: 4-27-2007
 SCH COMPLIANCE: 6-11-2007

Please note State Clearinghouse Number (SCH#) on all comments
 SCH#: 2006091032
 Please forward late comments directly to the Lead Agency

Project Sent to the following State Agencies:
 X Resources
 X Boating & Waterways
 X Coastal Comm
 X Colorado River Bd
 X Conservation
 X Fish & Game # 5
 X Delta Protection Comm
 X Forestry & Fire Prot
 X Historic Preservation
 X Parks & Rec
 X Reclamation Board
 X Bay Area & Dev Comm
 X JFWB
 X OES (Emergency Area)
 X State Transp Board
 X Air Resources
 X CDP
 X Cultural # 1
 X Transit Planning
 X Wildlife & Fish Res
 State Comm: Sec
 (General) Services
 Cal EPA
 ARB - Airport Projects
 ARB - Transportation Projects
 ARB - Major Industrial Projects
 Integrated Waste Mgmt Bd
 SWRCB - Clean Water Prog
 SWRCB - WQ Quality
 SWRCB - WQ Rights
 Reg. WQCB # 7
 Toxic Sub. Ctrl-CDC
 Yuba/ARB - Composites
 Corrections
 Independent Comm
 Energy Commission
 X NARC
 Public Utilities Comm
 State Lands Comm
 Tobacco Reg Plan Agency

COMMENTS

RESPONSES

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4251
Fax (916) 657-5399
Web Site www.nahc.ca.gov
e-mail: ca_nahc@pacbell.net



June 4, 2007

Ms. Marilyn Mirasoul
CITY OF SAN DIEGO
1222 First Avenue
San Diego, CA 92201

Re: SCH#2006091032: CEQA Notice of Completion: Draft Environment Impact Report (EIR) for City of San Diego General Plan Update: San Diego County, California

Dear Ms. Mirasoul:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. This letter and the accompanying Native American Tribal Consultation List meets the consultation requirements of both California Government Code §65352.3 (SB 18) and California Environmental Quality Act (CEQA) Guidelines §15064.5. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a "significant effect" requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines §15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the "area of potential effect (APE)", and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

V Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278) <http://www.chp.parks.ca.gov/1068/files/IC%20Roster.pdf>. The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

V If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.

V Contact the Native American Heritage Commission (NAHC) for:

- A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation, with name, township, range and section.
- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). The Commission is concerned that relations between the City of San Diego will improve as they are apparently strained as result of disagreements over the conduct of several projects during calendar year 2006.
- Lack of surface evidence of archaeological resources does not preclude their subsurface existence.
- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archaeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

D-1 Comment acknowledged. This comment letter contains recommended assessment and mitigation measures necessary for site-specific projects which may impact sensitive Native American resources.

It has always been the City's intent to ensure that as part of the CEQA process, issues associated with important archaeological sites and/or traditional cultural properties are adequately addressed and mitigated for in accordance with state law if avoidance cannot be accomplished. It is anticipated that this intent will be enhanced as part of a cooperative effort between the City of San Diego and the local Native American community, and through the City's use of updated procedures related to archaeological resources.

The City of San Diego has recently developed six steps which are utilized by EAS during the CEQA Initial Study process. These steps are used to establish the baseline methods for identifying, evaluating, and recording historical resources. In addition, the City of San Diego is currently in the process of updating the Historical Resources Guidelines and the DSD CEQA Significance Determination Thresholds to incorporate procedures for evaluating potential impacts to archaeological resources early in the CEQA Initial Study process. Additional information is being incorporated in the Guidelines regarding Native American contact as part of the archaeological background study and CEQA Initial Study process.

The current archaeological MMRPs for public and private projects have also been updated to require Native American monitoring in high sensitivity areas as determined in consultation with qualified City staff. The updated MMRPs include a condition that a preconstruction meeting must include the Native American monitor or work will not be allowed to commence. The City is also working to improve contract specification language for public projects as it relates to compliance with applicable state laws for the treatment of human remains.

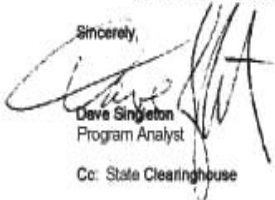
COMMENTS

RESPONSES

- Lead agencies should include in their mitigation plan provisions for the disposition of recovered **artifacts**, in consultation with culturally affiliated Native Americans.
- V Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - * CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave sites.
- V Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.
- V Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: List of Native American Contacts

COMMENTS

RESPONSES

Native American Tribal Consultation List San Diego County June 4, 2007

Barona Group of the Capitan Grande
Rhonda Welch-Scalco, Chairperson
1095 Barona Road
Lakeside , CA 92040
sue@barona-nsn.gov
(619) 443-6612

Diegueno

Sycuan Band of the Kumeyaay Nation
Danny Tucker, Chairperson
5459 Sycuan Road
El Cajon , CA 92021
ssilva@sycuan-nsn.gov
619 445-2613

Diegueno/Kumeyaay

Ewilaapaay Tribal Office
Harlan Pinto, Sr., Chairperson
PO Box 2250
Alpine , CA 91903-2250
wmicklin@leaningrock.net
(619) 445-6315 - voice

Kumeyaay

Viejas Band of Mission Indians
Bobby L. Barrett, Chairperson
PO Box 908
Alpine , CA 91903
daguiar@viejas-nsn.gov
(619) 445-3810

Diegueno/Kumeyaay

La Posta Band of Mission Indians
Gwendolyn Parada, Chairperson
PO Box 1120
Boulevard , CA 91905
(619) 478-2113

Diegueno

Campo Kumeyaay Nation
H. Paul Cuero, Jr., Chairperson
36190 Church Road, Suite 1
Campo , CA 91906
chairgoff@aol.com
(619) 478-9046

Kumeyaay

Manzanita Band of Kumeyaay Nation
Leroy J. Elliott, Chairperson
PO Box 1302
Boulevard , CA 91905
(619) 766-4930

Kumeyaay

Jamul Indian Village
Leon Acebedo, Chairperson
P.O. Box 612
Jamul » CA 91935
jamulrez@sctdv.net
(619) 669-4785

Diegueno/Kumeyaay

San Pasqual Band of Mission Indians
Allen E. Lawson, Chairperson
PO Box 365
Valley Center , CA 92082
(760) 749-3200

Diegueno

Mesa Grande Band of Mission Indians
Mark Romero, Chairperson
P.O. Box 270
Santa Ysabel , CA 92070
mesagrandebanc@msn.com
(760) 782-3818

Diegueno

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.

COMMENTS

RESPONSES

Native American Tribal Consultation List San Diego County June 4, 2007

Kwaaymii Laguna Band of Mission Indians

Carmen Lucas

P.O. Box 775

Pine Valley, CA 91962

(619) 709-4207

Diegueno - Kwaaymii

Kumeyaay Cultural Repatriation Committee

Steve Banegas, Spokesperson

1095 Barona Road

Lakeside, CA 92040

(619) 443-6612

Diegueno/Kumeyaay

Santa Ysabel Band of Diegueno Indians

Devon Reed Lomayevsa, Esq. Tribal Attorney

PO Box 701

Santa Ysabel, CA 92070

drlomayevsa@verizon.net

(760) 765-0845

Diegueno

This list is current only as of the date of this document.

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This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.